IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:12-cv-00082-RLV-DSC

HOWARD CASHION,)	
)	
Plaintiff,)	
)	
v.)	**ORDER**
)	
PRATT (CORRUGATED LOGISTICS),)	
LLC,)	
)	
Defendant.)	
)	

THIS MATTER is before the Court on Plaintiff Cashion's Motion for Reconsideration (Doc. 35) of the Magistrate Judge's Order (Doc. 34) denying Plaintiff's Motion to Extend Deadline for Disclosure of Experts and Expert Reports (Doc. 31).

In regard to nondispositive matters decided by a magistrate judge, "[t]he district judge in the case must consider timely objections and modify or set aside any part of the order that is clearly erroneous or contrary to law." Fed. R. Civ. P. 72(a).

On March 5, 2013, the Magistrate Judge entered an Order extending the discovery deadline from March 18, 2013, to May 18, 2013, and the dispositive-motions deadline from April 18, 2013, to June 18, 2013. Plaintiff's counsel asserts that he understood the deadline for the production of expert reports also to have been extended, although this was not explicitly stated within the Magistrate Judge's Order. (Doc. 31 at 2; Doc. 36 at 3.) However, even presuming that the two-month extension also applied to the deadline for submitting expert-witness reports, such reports were initially due from Plaintiff on January 21, 2013. Therefore, even adopting Plaintiff's understanding of the Magistrate Judge's clear and succinct Order, Plaintiff was well past the deadline when he served Defendant with the expert reports on April

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22, 2013, and when he filed a subsequent motion for an extension of deadlines on May 9, 2013.

Therefore, the Magistrate Judge summarily found no good cause for such extension, adopting the

reasoning found within Defendant's Response in Opposition. This determination was neither

clearly erroneous nor contrary to law.

IT IS, THEREFORE, ORDERED that Plaintiff's Motion for Reconsideration (Doc. 35)

be **DENIED**.

Signed: May 16, 2013

Richard L. Voorhees
United States District Judge